

## REMARKS

The claims have been amended to focus on the form in which the claimed complex is used as a pesticide, as described in the specification. Support for the amendment to claim 1 is found in canceled claim 14 in combination with the description on page 3, at lines 18-24. As extensively described in the application, the complex set forth in claim 1 has utility as a pesticide when applied as a microemulsion that appears clear to the naked eye, and indeed has a turbidity less than 3 NTU, preferably less than 1 NTU. The claims are now focused on this microemulsion. (Claims 56-65 have been canceled as directed to a non-elected invention.) It is believed that the claims as amended are free of the cited art, since although claims 14 and 15 were included in the rejection, none of the cited art suggests the preparation of a clear aqueous microemulsion.

### The Rejection Under 35 U.S.C. § 112, Paragraph 2

The word "associated" has been objected to; as unclear; this has now been replaced with "complexed." Description of the meaning of "associated" and "complexed" as interchangeable is set forth in the specification on page 5, beginning at line 22.

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### The Rejection Under 35 U.S.C. § 103


All considered claims were rejected as obvious over the combination of four sets of references describing detergent/cleaning compositions and, presumably with respect to claim 6, a fifth set of documents which describes lipases from *laetiporus* in Canada. While applicant does not ascribe to the proposition that the mere existence of separate components useful in detergents would necessarily suggest their combination for detergents or any other purpose, it is believed the rejection is now moot in view of the amendment to the claims. There is no teaching that has been pointed out by the Office in any of the cited documents of a complex of the type set forth in

the claims that has been diluted to a clear aqueous microemulsion. Accordingly, it is believed that the claims now pending, claims 1-13, 15-17 and 49-50 are in a position for allowance and passage of these claims to issue is respectfully requested.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket No. 437472000200.

Respectfully submitted,

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